

EXHIBIT A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

		ECF CASE
AUTHORS GUILD, et al.,		No. 1:23-cv-08292-SHS; No. 1:23-cv-10211-SHS
	Plaintiffs,	
v.		
OPEN AI INC., et al.,		PLAINTIFFS' THIRD SET OF INTERROGATORIES TO MICROSOFT CORPORATION
	Defendants.	
JONATHAN ALTER, et al.,		
	Plaintiffs,	
v.		
OPENAI, INC., et al.,		
	Defendants.	

**PLAINTIFFS' THIRD SET OF INTERROGATORIES TO
DEFENDANT MICROSOFT CORPORATION**

Plaintiffs, by and through their undersigned attorneys, request that Microsoft provide an answer to the Interrogatories within thirty (30) days of the date of service hereof as provided by Federal Rule of Civil Procedure 33.

DEFINITIONS

1. **“Action”** shall mean *Authors Guild, et al., v. OpenAI, et al.*, No. 1:23-cv-08292-SHS (S.D.N.Y.) and *Jonathan Alter, et al., v. Open AI Inc. et al.*, No. 1:23-cv-10211-SHS (S.D.N.Y.).

2. **“Agreement(s)”** means any writing or record of any type or description known to You including, but not limited to, any existing contract, contract renewal, letter of commitment,

addendum, draft, revision, amendment, renewal, and settlements, that effectuates or otherwise impacts a business relationship between You and another Person. If any interrogatory asks “whether there are any Agreements,” please identify all such Agreements by Bates number. If any such Agreement has not been produced, please produce it and identify it by Bates number. If there is no such Agreement, please state so.

3. **“Communication(s)”** means the transmittal of information (in the form of facts, ideas, inquiries or otherwise) by any means, including, but not limited to, telephone calls, emails (whether via company server or personal webmail or similar accounts), faxes, text messages (on work or personal phones), instant messages, Skype, Line, WhatsApp, WeChat, other electronic messages, letters, notes, and voicemails.

4. **“Date”** means the exact date, month, and year, if ascertainable or, if not, the best approximation of the date (based upon relationship with other events). If the date provided is an approximation, please so state.

5. **“Document(s)”** is defined to be synonymous in meaning and equal in scope to the usage of the term “documents or electronically stored information” in Federal Rule of Civil Procedure 34(a)(1)(A).

6. **“ESI”** refers to information and Documents within the full scope of Federal Rule of Civil Procedure 34 with all metadata intact—created, manipulated, communicated, stored, and best utilized in digital form, and stored on electronic media. Examples of ESI include e-mail, messages posted on electronic message boards, forum postings, support tickets, videos, discussion boards, data, source code, websites, Microsoft Word files, Microsoft Excel files, and instant messages.

7. **“LLMs”** has the same meaning as the term discussed in OpenAI’s letter to the

Register of Copyrights and Director of the U.S. Copyright Office dated October 30, 2023, “Re: Notice of Inquiry and Request for Comment [Docket No. 2023-06]”.

8. **“OpenAI”** means OpenAI, Inc., OpenAI GP, LLC, OpenAI, LLC, OpenAI OPCO LLC, OpenAI Global LLC, OAI Corporation, LLC, OpenAI Holdings, LLC, and any of their directors, officers, employees, partners, members, representatives, agents (including attorneys, accountants, consultants, investment advisors or bankers), and any other person acting or purporting to act on their behalf, as well as corporate parents, subsidiaries, affiliates, predecessor entities, successor entities, divisions, departments, groups, acquired entities, related entities, or any other entity acting or purporting to act on their behalf.

9. **“Person(s)”** means any natural person.

10. **“You”, “Your”, and “Microsoft”** means Microsoft Corporation, as well as corporate parents, subsidiaries, affiliates, predecessor entities, successor entities, divisions, departments, groups, acquired entities, related entities, or any other entity acting or purporting to act on their behalf.

INTERROGATORIES

INTERROGATORY NO. 6:

Identify all of **Your** commercial products that use or include any **Large Language Model** developed by **OpenAI**, including but not limited to, **Your** Bing search engine (as set forth in the First Consolidated Complaint [Fiction Docket No. 69] at ¶166) as well as Microsoft Teams, Microsoft 365 Copilot and GitHub Copilot (*id.* at ¶167).

INTERROGATORY NO. 7:

Identify anyone at **Microsoft** who drafted, received, or edited the report prepared by **OpenAI** for **Microsoft** entitled “Details, Results, and Benchmarking of OpenAI Large Models for MSFT” (MSFT_AICPY_000101328).

INTERROGATORY NO. 8:

Identify anyone at **Microsoft** who had communications **Regarding** and **Concerning** Library Genesis or Libgen, Internet Archive, Z-Library, Common Crawl, WebText, Project Gutenberg, Anna’s Archive, Open Library, Reddit, DuXiu, and E-Libra.

Dated: January 29, 2025

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*Attorneys for Plaintiffs and the Proposed
Classes*

CERTIFICATE OF SERVICE

I hereby certify that on January 29, 2025, a copy of the foregoing was served via electronic mail to all counsel of record in this matter.

/s/Anna Freymann

Anna Freymann